W.A.2440 OF 2005

Per G.S. Singhvi, CJ

This appeal is directed against the order dated 31-10-2005 passed by the learned Single Judge whereby he disposed of W.P.No.23179 of 2005 filed by the respondent and directed Deputy Regional Manager, Bank of Baroda, Hyderabad, to forward the representation of the respondent to the Chairman of the Bank with further direction to the latter to consider and pass appropriate order in accordance with law.

Learned counsel for the appellants submitted that the order under challenge is liable to be set aside because representation made by the respondent under Section 13 (3)(a) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, had already been decided by the competent authority and this was conveyed to the respondent on 25-10-2005.

In our opinion, the direction given by the learned Single Judge is most innocuous and require no interference by the Division Bench. If the appellants have already decided the representation made by the respondent under Section 13 (3)(a) of the Act, the only thing which they required to do is to inform the respondent that its representation has already been decided. In our view, the direction given by the learned Single Judge has not caused any prejudice to the appellants warranting exercise of jurisdiction by the Division Bench under Clause 15 of the Letters Patent.

Hence, the appeal is dismissed. No order as to costs.

G.S. SINGHVI, CJ

C.Y. SOMAYAJULU, J

December 15, 2005

Vrk / svs